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Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

Anguilla

Working paper prepared by the Secretariat

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Note: The information contained in the present working paper has been derived from public sources, including those of the territorial Government, and from information transmitted to the Secretary-General by the administering Power under Article 73 *e* of the Charter of the United Nations. Information was transmitted by the administering Power on 11 January 2016. Further details are contained in previous working papers, available from www.un.org/en/decolonization/workingpapers.shtml.

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The Territory at a glance

Territory: Anguilla is a Non-Self-Governing Territory under the Charter administered by the United Kingdom of Great Britain and Northern Ireland.

Representative of administering Power: Governor Christina Scott (2013).

Geography: The Territory lies 240 km east of Puerto Rico, 113 km north-west of Saint Kitts and Nevis and 8 km north of Sint Maarten/Saint Martin. It has a relatively flat topography, with a few rolling hills rising to 213 ft.

Land area: 96 km². The main island has a maximum length of 26 km and a maximum width of 5 km.

Exclusive economic zone: 92,178 km².

Population: 15,700 (2013 estimate).

Life expectancy at birth: 81.3 years (male: 78.7 years, female: 84.0 years (2015 estimate)).

Languages: 99 per cent of the population speaks English. Spanish and Chinese are also spoken.

Capital: The Valley.

Head of territorial Government: Chief Minister Victor Banks (April 2015).

Elections: Most recent: 22 April 2015; next: by 22 April 2020.

Main political parties: Anguilla United Front; Anguilla United Movement.

Legislature: House of Assembly.

Gross domestic product per capita: US$ 18,589 (2014 estimate).

Economy: Tourism, financial services and remittances.

Main trading partners: United States of America and States members of the Caribbean Community.

Unemployment rate: 8 per cent (2012 estimate).

Monetary unit: East Caribbean dollar, pegged to the United States dollar at about EC$ 2.70.

Brief history: Originally inhabited by the Arawaks, the Territory was colonized by British and Irish settlers in 1650 and was periodically associated with Saint Kitts and Nevis, as well as with various regional structures. In 1980, the Territory became a dependency of the United Kingdom.

I. Constitutional, legal and political issues

1. According to the Anguilla Constitution Order, which came into force in 1982 and was amended in 1990, the Government of Anguilla consists of the Governor, the Executive Council and the House of Assembly. The Governor, appointed by the British Crown, is responsible for defence, external affairs, internal security (including the police and prison services), international financial services and their regulation, public service appointments and the application to public servants of their terms and conditions of service. On all other matters, the Governor is required to consult and act on the advice of the Executive Council. At the same time, the Order stipulates that the British Crown reserves the power, with the advice of the Privy Council, to make laws for the peace, order and good government of Anguilla.

2. The Territory's Executive Council consists of the Chief Minister, not more than three other ministers and two ex officio members (the Attorney General and the Deputy Governor). The Governor acts as Chair of the Council, without voting rights. The House of Assembly is elected for a five-year term and comprises the Speaker, not less than seven members elected from single-member constituencies, the same two ex officio members as in the Executive Council and two members appointed by the Governor, one upon the advice of the Chief Minister and the other after consultation with the Chief Minister and the Leader of the Opposition, as appropriate. In accordance with the Constitution, the Governor appoints as Chief Minister one of the elected members of the Assembly who, in the judgement of the Governor, is likely to command the support of a majority of the elected members of the Assembly. Other ministers are also appointed by the Governor, in accordance with the advice of the Chief Minister, from among the elected members of the Assembly.

3. The general elections held in Anguilla on 22 April 2015 resulted in a change of government from the Anguilla United Movement to the Anguilla United Front. The current Chief Minister, Victor Banks, took office on 23 April 2015.

4. The law of Anguilla is the common law of the United Kingdom of Great Britain and Northern Ireland, together with all legislation inherited from the former associated State of Saint Kitts-Nevis-Anguilla up to August 1971 and the local legislation enacted since. The law is administered by the Eastern Caribbean Supreme Court, a regional court based in Saint Lucia for the members of the Organization of Eastern Caribbean States, which consists of two divisions, an itinerant court of appeal and a high court of justice.

5. The British Overseas Territories Act 2002 provides for the granting of British citizenship to British overseas territory citizens.

6. Discussions with the United Kingdom on a new draft constitution had been expected to begin in 2010. In 2011, Anguilla set up a team headed by H. Clifton Niles to draft a new constitution. As previously reported, a draft text was presented to the Government in February 2012, containing changes in governance that could become features of an independent constitution. According to the administering Power, in September 2015, the territorial Government established a new Constitutional and Electoral Reform Committee to advance constitutional and electoral reform. According to media reports, the first draft of the update by the Committee on the constitutional process was submitted to the Ministry of Home

Affairs, which would be considered by the Executive Council, while work was continuing on the draft constitution.

7. According to the administering Power, in line with its white paper entitled *The Overseas Territories: Security, Success and Sustainability*, published in 2012, the Governor has made clear that any decision to sever the constitutional link between the United Kingdom and Anguilla should be on the basis of the clear and constitutionally expressed wish of the people of Anguilla. If the desire for independence was clearly expressed, the Government of the United Kingdom would meet its obligations to help the Territory to achieve it.

8. Following the elections in April 2015, according to media reports, then Chief Minister-elect Banks stated that stimulating the Anguillan economy was a key priority and that the political independence of Anguilla was not an immediate priority for his administration, in contrast to the position of the previous administration under the Anguilla United Movement. In addition, in October 2015, the public had reportedly reacted to the proposal by the administering Power contained in the draft Anguilla Public Finance Order 2015 to appoint a Chief Financial Officer by calling for a debate on independence from the United Kingdom.

II. Budget

9. The Governments of the United Kingdom and Anguilla have agreed upon a framework for fiscal responsibility and development, which was passed into Anguillan law in November 2013. It set out the commitment of the Government of Anguilla to a balanced budget, borrowing guidelines and a medium-term fiscal plan for the management of public finances over the coming five years.

10. In December 2015, the Chief Minister and Minister of Finance presented a budget of EC$ 225.3 million in the House of Assembly for the operation of the Government in 2016. With regard to the fiscal year 2015, the recurrent revenue was estimated at EC$ 195.22 million, representing a 5.4 per cent increase over 2014, and the recurrent expenditure at EC$ 185.54 million, which brought the recurrent balance to EC$ 9.68 million. According to the administering Power, the Government of the United Kingdom continued to provide a grant to advance key projects in the Territory. In 2015, capital grants totalling EC$ 3.7 million were provided in support of the implementation of the redevelopment of one primary school and other education projects.

11. According to the administering Power, there is no income, estate, capital gains, corporation, value added or goods and services tax in Anguilla. The territorial Government continues to study this matter, in particular with regard to the impact of low taxation on the Territory's economy and public sector reserves. In 2016, the territorial Government is expected to implement new tax measures that include the implementation of electricity and petroleum taxes and an increase in land registry, driver's license and vehicle license fees.

III. Economic conditions

A. General

12. According to the October 2015 preliminary statistics from the Eastern Caribbean Central Bank provided by the administering Power, gross domestic product (GDP) in 2014 was US$ 311.77 million, with the growth rate of 9.5 per cent. Furthermore, GDP in 2015 is estimated to be US$ 321.73 million, with the growth rate of 3.19 per cent.

13. The main industries in Anguilla are tourism, real estate, offshore incorporation and management and banking. Tourism is the main source of economic growth. The economy continues to be affected by the global economy, international oil prices and weather conditions.

B. Tourism

14. The Ministry of Finance, Economic Development, Investment, Commerce and Tourism is responsible for implementing the tourism master plan, while the Anguilla Tourist Board and the Anguilla Hotel and Tourism Association market and promote the Territory's tourism product.

15. Official data by the territorial Government indicate that Anguilla had 176,780 visitor arrivals in 2014 (of which approximately 40 per cent, 70,927, were stay-over visitors), a 16.8 per cent increase from 151,303 visitor arrivals in 2013. Furthermore, during the first nine months of 2015, visitor arrivals numbered 146,348, of which 56,114 were stay-over visitors.

C. Financial services

16. International financial services account for some 20 per cent of GDP of Anguilla. The Anguilla Financial Services Commission was established in 2004 as an independent regulatory body reporting to the Governor. At the same time, the administration of the Territory's responsibilities with respect to the Foreign Account Tax Compliance Act rests with the Ministry of Finance. In October 2014, Anguilla joined the early adopters initiative to commit itself to the early adoption of the Common Reporting Standard, which was the new standard in the automatic exchange of information between tax authorities developed by the Organization for Economic Cooperation and Development.

17. Since August 2013, two commercial banks in Anguilla, the National Bank of Anguilla and the Caribbean Commercial Bank have been under the conservatorship of the Eastern Caribbean Central Bank, with the aim of improving the management of each bank. The banks, licensed by the Minister of Finance and regulated by the Eastern Caribbean Central Bank, account for three quarters of the assets of the Territory's entire banking system.

18. Furthermore, according to information provided by the administering Power, in an effort to have key conventions on international standards in the financial sector extended to its overseas territories, in 2015, the International Convention for

the Suppression of the Financing of Terrorism and the United Nations Convention against Transnational Organized Crime was extended to Anguilla.

D. Agriculture and fisheries

19. While agricultural activity in Anguilla is limited, the territorial Government, in its 2016 budget address, expressed its intention to promote and increase the production of vegetables, fruits and livestock on the islands and to create a regulated environment for the use of hazardous agriculture chemicals.

20. Furthermore, according to the administering Power, the total fish catch in 2014 was estimated at 9,261 tons, valued at some EC$ 268.7 million. Fishing is significant to the livelihoods of many Anguillans, directly employing approximately 300 people, with many more fishing on a subsistence basis. As previously reported, Anguilla is using less than one quarter of its exclusive fishing zone to the north of the island.

21. Since 2013, the administering Power has been discussing the possibility of assisting the territorial Government in investigating whether commercial fisheries might be established in the Territory. The territorial Government submitted a proposal to conduct studies in the exclusive fishing zone to determine the stock and species abundance and also committed to secure sufficient budget for the project in 2015. According to the administering Power, it awaits the completion of the Anguilla fisheries development plan, which is expected to be completed by January 2016, to make a decision on financial assistance to the fishing industry.

E. Infrastructure

22. According to information provided by the administering Power, Anguilla has approximately 110 km of public roads, 80 per cent of which are paved. In addition, the Anguilla road network comprises approximately 140 km of paved roads and 120 km of gravel roads. Infrastructure development continues to be low as a result of the recent economic downturn.

23. The Anguilla Air and Sea Ports Authority, a semi-autonomous self-sustaining entity, manages the operations of the airport and seaports on a commercial basis. Clayton J. Lloyd International Airport, situated on the outskirts of The Valley, is the only airport on the island and serves both commercial and private aircraft, including a fixed-base operator facility. There are flights to and from the international airports of Antigua, Sint Maarten/Saint Martin and Puerto Rico. In addition, the ferry and charter boat service between Anguilla and Sint Maarten/Saint Martin is the main international transportation link between Anguilla and the major international gateways.

F. Transportation and communications

24. Taxis are the only form of public transport in Anguilla; however, car rental is widely available. Anguilla has a modern internal telephone system with multiple external gateways, including several microwave relays to Sint Maarten/Saint Martin,

and a fibre landing point on Tortola for international calls, with competition in mobile, landline and Internet services.

IV. Social conditions

A. General

25. The social security scheme of the Territory is overseen by the Anguilla Social Security Board. The Department of Social Development offers basic social services to the public. According to information provided by the administering Power, during the period from 1 January to 30 November 2015, 121 persons received public assistance in the form of cash transfers totalling EC$ 709,700, lower than the previous year in terms of the number of recipients and the amount. During the same period in 2015, 309 persons benefited from medical assistance valued at approximately EC$ 2.2 million. Contributions to needy families in the form of food vouchers totalled EC$ 41,897.85. According to the administering Power, the use of those social services demonstrates that, while no segment of the Territory's population is considered indigent, the vulnerable population, in particular children, depends heavily on the Government to meet its basic needs.

26. According to the administering Power, the Ministry of Social Development continues to sensitize stakeholders to the importance of adhering to the Inter-Agency Child Protection Protocol, which was developed in collaboration with the United Nations Children's Fund (UNICEF), to ensure that all agencies responsible for safeguarding children work collectively to respond to child abuse and neglect. In addition, according to the administering Power, in 2015, outreach to stakeholders and the general public continued under the campaign entitled "Follow-up to the Break the Silence", funded by UNICEF and the Department for International Development of the Government of the United Kingdom, which offers support to execute programmes that focus on anti-bullying, sexual abuse, domestic violence, corporal punishment and child-friendly schools.

27. In terms of the legislative framework relating to social issues, in 2015, the Social Protection Act 2015 and the Domestic Violence Act 2015 were passed and a draft child protection bill is expected to be finalized in 2016, according to information provided by the administering Power.

B. Education

28. In Anguilla, education is free and compulsory between the ages of 5 and 17 years, benefiting some 2,700 pupils. The Department of Education provides continuing professional development for all teachers, with emphasis on supporting new teachers.

29. Anguilla Community College offers, among others, associate degrees and a postgraduate diploma. In 2014, the first students with associate degrees from the Community College graduated. In addition, as from 2013, the Community College offers vocational training courses in electrical installation, automotive repair, plumbing, refrigeration and air conditioning, enabling students to attain internationally recognized qualifications in a number of disciplines.

30. The Open Campus of the University of the West Indies offers fully accredited tertiary education on Anguilla from the certificate to the doctoral levels. In addition, according to the administering Power, a private medical school based in the United States has a campus in the Territory offering the basic sciences to its students, who are mostly from the United States.

31. Citizens from overseas territories benefit from the home student fee rate at British universities. In accordance with the decision in November 2013 by the Council of the European Union on the association of the overseas countries and territories with the European Union, the European Union provides for access to, among others, horizontal European Union funds, such as those for higher education and vocational education.

C. Public health

32. The Health Authority of Anguilla is responsible for all primary, secondary and personal health-care services. There are three health districts in the Territory, featuring four health centres, one polyclinic and one hospital, the Princess Alexandra Hospital. Cases requiring major surgery are usually evacuated to a neighbouring island.

33. The Ministry of Social Development regulates and monitors the public and private health sectors, including the Health Authority, and carries out policymaking and regulatory functions, operating within the framework of the National Health Strategic Plan 2015-2020. According to the administering Power, the 2015 budget provided for approximately EC$ 16.5 million for the Health Authority. More than EC$ 1.3 million was spent on medical treatment overseas from January to November 2015.

34. According to the administering Power, in 2015, the Ministry of Health established a chronic disease unit with the responsibility for non-communicable diseases and HIV/AIDS and sexual and reproductive health. The mandate of the unit is to lead the national response to chronic diseases, with the attendant benefits of reducing the number of vertical health programmes and pooling limited resources.

D. Crime and public safety

35. According to information provided by the administering Power, Anguilla has a low crime rate compared with other jurisdictions in the region. However, gun-related crime has affected communities in Anguilla, which resulted in some changes in the Anguilla Police Act. In addition, according to the administering Power, law enforcement added a canine unit in its fight against firearm crimes. Other initiatives taken include joint border agency training and operational activities in the fight against organized crime and gang activity, in addition to various community-based activities.

36. In the view of the administering Power, a number of organized crime groups operate in Anguilla; they have access to a wide range of sophisticated automatic weapons and are believed to be responsible for the majority of all homicides on Anguilla since 2007. In 2015, an investigation team from the United Kingdom visited Anguilla to review the handling of the most recent murder investigations.

Furthermore, according to the administering Power, challenges in the Territory include: the size of the police force and capabilities in forensic investigative techniques; the close-knit character of the community, which affects the willingness of people to come forward as witnesses to secure convictions; and the restrictions on the use of DNA and other investigative opportunities under the Constitution.

37. The Money-Laundering Reporting Authority is the central body responsible for the receipt, analysis and dissemination of information pertaining to the suspicion of proceeds derived from criminal activities and provides strategic oversight of the financial intelligence function. The Anguilla Financial Intelligence Unit, a dedicated, specialist unit within the Royal Anguilla Police Force, is delegated by the Authority to perform the day-to-day operational functions to carry out a wide variety of financial crime investigations, including money-laundering.

38. During 2015, the United Kingdom continued its funding of a law enforcement adviser based in Miami, United States, who coordinated, managed and facilitated training and strategic advice to introduce new techniques and skills for the Territory's law enforcement agencies. Furthermore, in 2015, HMS *Severn* and RFA *Lyme Bay* were in the Caribbean as part of the Atlantic Patrol Tasking North of the Royal Navy, from January to July and from July to December, respectively, providing a United Kingdom maritime presence, humanitarian assistance and disaster relief and crisis communications in the region throughout the year. During the core hurricane season, a larger Royal Navy or Royal Fleet Auxiliary ship is on standby to provide humanitarian and disaster relief support to Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Montserrat and the Turks and Caicos Islands. During their time in the Caribbean, both ships also worked with other regional navies and coast guards to combat illegal activities on the high seas.

E. Human rights

39. The Territory's Constitution provides that every person in Anguilla is entitled to life, liberty, security of person, the enjoyment of property, protection of the law, freedom of conscience, expression and peaceful assembly and association, and respect for his or her private and family life. The Convention on the Rights of the Child, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention on the Elimination of All Forms of Racial Discrimination have been extended to Anguilla. The European Convention on Human Rights also applies to Anguilla, with individuals having the right to bring cases to the European Court of Human Rights where no other remedy exists in the Territory. In March 2014, the Government of Anguilla requested the extension of the ratification by the United Kingdom of the Convention on the Elimination of All Forms of Discrimination against Women to the Territory. According to the administering Power, it is anticipated that the Convention will be extended in early 2016. In addition, as mentioned above, the first Domestic Violence Act, 2015 was passed in the Territory on 3 November 2015.

V. Environment

40. According to information provided by the administering Power, Anguilla faces a decline in marine ecosystem health and integrity, given that some 90 per cent of

near-shore hard coral has been lost in the past two decades. A 50 per cent decline in seagrass bed cover has been recorded, along with a 60 per cent decline in near-shore coral reef fish populations.

41. The Department of the Environment, the Agriculture Department, the Department of Fisheries and Marine Resources, the Department of Health Protection and the Anguilla National Trust are the principal entities dealing with environmental issues, which continued to focus in 2015 on in situ research concerning coral reefs and coastal communities to help to determine how climate change affects reefs in Anguilla.

VI. Relations with international organizations and partners

42. Since 1998, the Territory has been an associate member of the Economic Commission for Latin America and the Caribbean. Since 2011, it has maintained a formal dialogue with the International Monetary Fund.

43. Anguilla participates in the Caribbean Community as an associate member. It is a member of the Caribbean Development Bank, the Caribbean Financial Action Task Force and the Caribbean Regional Fisheries Mechanism.

44. Anguilla is an associate member of the Organization of Eastern Caribbean States and a member of the Eastern Caribbean Central Bank.

45. As a Non-Self-Governing Territory of the United Kingdom, Anguilla is associated with the European Union but is not a part of it. According to the United Kingdom, the Territory has yet to establish a relationship with the European Union in the context of the European Union Economic Partnership Agreement. As at January 2014, the Territory was a partner under the above-mentioned decision of the Council of the European Union, which, according to the administering Power, was approved, among other things, in an effort to move away from a classic development cooperation approach to a reciprocal partnership that promotes sustainable development and the values and standards of the Union in the wider world.

46. The territorial Government cooperates directly with Caribbean Governments and participates in regional projects of various international organizations and agencies, including the Pan American Health Organization.

VII. Future status of the Territory

A. Position of the territorial Government

47. Developments in constitutional reform efforts involving the future status of Anguilla are referred to in section I above.

B. Position of the administering Power

48. On 15 October 2015, at the 7th meeting of the Special Political and Decolonization Committee (Fourth Committee) during the seventieth session of the General Assembly, the representative of the United Kingdom stated that the relationship of the Government of the United Kingdom with its overseas territories

was a modern one based on partnership, shared values and the right of the people of each territory to choose to remain British. The Government of the United Kingdom and its territories recognized that their relationship brought mutual benefits and responsibilities.

49. He went on to say that, since the publication in June 2012 by the Government of the United Kingdom of a white paper entitled *The Overseas Territories: Security, Success and Sustainability*, the United Kingdom had worked closely with its territories to further develop those partnerships. His Government had consolidated the annual meeting with the leaders of territories into a Joint Ministerial Council, with a clear mandate to review and implement the strategy and commitments set forth in the paper. His Government's fundamental responsibility and objective under international law, including the Charter of the United Nations, was to ensure the security and good governance of the territories and their people.

50. At the fourth meeting of the Overseas Territories Joint Ministerial Council, held in London on 1 and 2 December 2015, the United Kingdom and overseas territory leaders agreed on a communiqué setting out, among other things, the joint position of the United Kingdom and the overseas territories on self-determination. In the communiqué, the political leaders and representatives stated that leaders of the overseas territories were democratically elected by the people of the Territories and were accountable to them and that the principle of equal rights and self-determination of peoples, as enshrined in the Charter of the United Nations, applied to the peoples of the overseas territories. They reaffirmed the importance of promoting the right of the peoples of the territories to self-determination, a collective responsibility of all parts of the Government of the United Kingdom. They committed to explore ways in which the overseas territories could maintain international support in countering hostile sovereignty claims and agreed that the fundamental structure of their constitutional relationships had been the right one — powers had been devolved to the elected Governments of the territories to the maximum extent possible consistent with the United Kingdom retaining those powers necessary to discharge its sovereign responsibilities — while agreeing on the need to review the effectiveness of constitutional arrangements over time.

VIII. Action taken by the General Assembly

51. On 9 December 2015, the General Assembly adopted, without a vote, resolutions 70/102 A and B, on the basis of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2015 (A/70/23) and the subsequent recommendation by the Fourth Committee. Section II of resolution 70/102 B concerns Anguilla. In that section, the Assembly:

(a) Welcomed the preparations made for a new constitution, and urged that constitutional discussions with the administering Power, including public consultations, be concluded as soon as possible;

(b) Requested the administering Power to assist the Territory in its current efforts with regard to advancing the internal constitutional review exercise, if requested;

(c) Stressed the importance of the previously expressed desire of the territorial Government for a visiting mission by the Special Committee, called upon the administering Power to facilitate such a mission, if the territorial Government so desired, and requested the Chair of the Special Committee to take all the necessary steps to that end;

(d) Requested the administering Power to assist the Territory by facilitating its work concerning public consultative outreach efforts consistent with Article 73 *b* of the Charter, and in that regard called upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

(e) Called upon the administering Power to assist the territorial Government in strengthening its commitments in the economic domain, including budgetary matters, with regional support as needed and appropriate;

(f) Welcomed the active participation of the Territory in the work of the Economic Commission for Latin America and the Caribbean.

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Bermuda

Working paper prepared by the Secretariat

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The Territory at a glance

Territory: Bermuda is a Non-Self-Governing Territory, under the Charter of the United Nations, administered by the United Kingdom of Great Britain and Northern Ireland.

Representative of administering Power: Governor George Fergusson (May 2012).

Geography: Bermuda is located in the western part of the Atlantic Ocean, approximately 917 km east of the North Carolina coast of the United States of America. It consists of 8 major and 130 smaller islands.

Land area: 53.35 km².

Exclusive economic zone: 450,370 km².

Population: 65,187 (2015 estimate).

Life expectancy at birth: 81.2 years (male 77.9 years; female 84.4 years (2015 estimate)).

Ethnic composition: Approximately 54 per cent black, 31 per cent white and 15 per cent mixed and other races (2010).

Language: English.

Capital: Hamilton.

Head of territorial Government: Premier Michael Dunkley.

Main political parties: One Bermuda Alliance; Progressive Labour Party.

Elections: Most recent: 17 December 2012; next: due by December 2017.

Legislature: Bicameral legislature, comprising the Senate of 11 members appointed by the Governor (3 at his/her discretion, 5 on the advice of the Premier, 3 on the advice of the leader of the Opposition) and the 36-member House of Assembly, elected in 36 constituencies for up to a five-year term.

Gross domestic product per capita: $91,479 (2014).

Economy: Financial services, tourism.

Main trading partners: United States of America, Canada, United Kingdom and States members of the Caribbean Community.

Unemployment rate: 7 per cent (2015).

Monetary unit: Bermuda dollar, pegged at parity with the United States dollar.

Brief history: Bermuda was discovered in 1505 by the Spanish explorer Juan de Bermudez, and by 1510 was referred to as "La Bermuda". It remained uninhabited until 1609, when British settlers on their way to Virginia were shipwrecked on one of its reefs. In 1612, King James I extended the charter of the Virginia Company to include Bermuda. After the Company's charter was annulled in 1684, government passed to the British Crown.

I. Constitutional, legal and political issues

1. The 1968 Constitution of Bermuda has been amended on five occasions, with the most recent revision being in 2003. According to the administering Power, the Constitution gives the Territory almost full internal self-government, leaving the United Kingdom of Great Britain and Northern Ireland with a minimum number of constitutional controls. The Governor (and Commander-in-Chief), appointed by the British Crown, is responsible for defence, external affairs, internal security and the police.

2. The Territory has a parliamentary system of government, comprising a governor, a deputy governor, a cabinet and a bicameral legislature. The Governor appoints as Premier the member of the House of Assembly who appears to be best able to command the confidence of a majority of the 36 members of the House, each of whom represents a parliamentary constituency. The Premier heads a cabinet that may not comprise more than 14 members of the legislature.

3. The law and legal system of Bermuda are based on the application of English common law and the principles of equity, the legislation of the United Kingdom (in force since 1612) that has been extended to Bermuda and acts of the Bermuda Parliament. The judiciary is appointed on the advice of the Chief Justice. There are three courts: the Magistrates' Court, the Supreme Court and the Court of Appeal. The British Overseas Territories Act 2002 provides for the conferral of British citizenship on citizens of British overseas territories.

4. Voters in the general elections or referendums must be 18 years of age and Bermudian by birth or status or non-Bermudian electors on the register as at 1 May 1976. The current Premier, Michael Dunkley, of One Bermuda Alliance, took office on 20 May 2014, succeeding Craig Cannonier, of the same political party, who stepped down from the position. One Bermuda Alliance holds a two-seat majority in the House of Assembly.

5. In 1995, a referendum was held on the question of independence. Of the 58.8 per cent of eligible voters who participated, a small number by Bermudian standards according to the administering Power, 73.6 per cent voted against independence. The then-opposition party, the Progressive Labour Party, had organized a boycott of the referendum among supporters of independence, arguing that the issue should be resolved by general election.

6. In its 2005 report, the Bermuda Independence Commission noted that the racial question had been an ever-present feature of the social, economic and political landscape of Bermuda throughout its history. Racial divisions in Bermuda have, in significant measure, played out in support for, or in opposition to, independence and the method to be used to ascertain the wishes of the population. The Progressive Labour Party, which was the ruling party in 2005, wanted the issue of independence to be settled in the context of an election. The Progressive Labour Party reportedly remains publicly committed to pursuing a policy of disengagement from the United Kingdom. On the other hand, the United Bermuda Party, a forerunner of the One Bermuda Alliance, favoured a referendum. The Commission concluded that it was incumbent upon both political parties to share the merits of each method.

II. Budget

7. The fiscal year of the Territory begins in April. According to the administering Power, the funding priorities for the 2015/16 budget continue to focus on the economy, education, health care and law enforcement. The budget of $1.08 billion and the associated economic stimulus measures were designed to meet the policy objectives in the above-mentioned key areas. Additional budgetary information can be found in the relevant sections below. Government statistics indicate that for the twelfth consecutive year, the revenue of the Territory in the 2014/15 fiscal year had fallen short of its expenditure.

III. Economic conditions

A. General

8. The economy of Bermuda is based primarily on the provision of financial services for international businesses and on tourism. According to the administering Power, the industrial sector is small and agriculture is limited since only approximately 20 per cent of the land is arable.

9. According to the administering Power, the final estimated gross domestic product (GDP) of Bermuda in current prices for 2014 was $5.7 billion, a 0.2 per cent increase from 2013 ($5.6 billion). In 2014, seven industries recorded growth in value added, led by business activities such as legal, accounting and management consultancy services. This increase in economic growth translated into a 0.5 per cent rise in GDP per capita in 2014, which amounted to $91,479. According to official statistics on the third quarter of 2015, quarterly GDP at current prices was estimated at $1.35 billion, representing a 6.3 per cent increase on a year-over-year basis.

10. According to the administering Power, the contraction in GDP over the past few years represents a major challenge for the Government. It therefore developed initiatives to promote economic growth. The territorial Government is pursuing a two-track strategy, the aim of which is to stimulate the economy on the one hand and control and reduce Government spending on the other. According to the information provided by the administering Power, in 2015/16, the territorial Government is continuing to focus on creating the conditions necessary to attract inward direct investment from abroad in order to stimulate the economy and thereby invigorate its two main pillars, international business and tourism.

B. Financial services

11. According to the administering Power, Bermuda is one of the world's leading international financial and business centres; the sector accounts for around 27 per cent of its GDP. Bermuda is also one of the major jurisdictions worldwide in the fields of large-scale insurance and reinsurance.

12. The Bermuda Monetary Authority is the integrated regulator of the financial services sector and has the power to levy civil fines. The Territory has no central bank. The peg to the United States dollar is managed by commercial banks meeting

supply and demand at a one-to-one rate. The banks, rather than the Authority, own the foreign exchange reserves of Bermuda.

13. According to information provided by the administering Power, over the first nine months of 2015, 713 new international companies and partnerships were registered in Bermuda, representing a decrease of 18.1 per cent compared with the 871 companies registered in the corresponding period of 2014. Bermuda registered a total of 89 new insurers and 24 new intermediaries in 2014.

14. According to the administering Power, Bermuda has never been a jurisdiction with bank secrecy laws and has maintained a private beneficial ownership register since the 1940s. The existing register contains the details of the ultimate owners of the private corporate entities operating in Bermuda. It is a central register, held by a public authority, and, as ownership changes over time, it is updated using an active automatic system. The Government currently exchanges the information with the competent authorities of its treaty partners upon request. Under the regulatory legislation, there are provisions for financial institutions regarding controlling shareholders that require the approval of such persons by the Bermuda Monetary Authority.

15. For more than 70 years, Bermuda has required persons wishing to incorporate a company there to provide information on the ultimate beneficial owner. Currently, such persons are vetted by the Authority (subject to a 10 per cent controller threshold). Transfers of shares to non-Bermudians are also subject to vetting by the Authority. The Authority retains all of the information on the ultimate beneficial owner, which is provided to the Authority as part of the vetting process. According to the administering Power, Bermuda has no financial secrecy legislation.

16. According to the administering Power, following the establishment of its first tax information exchange agreement with the United Kingdom in 2007 in order to ensure maximum financial transparency and security, Bermuda has taken a leading position worldwide in terms of transparency and cooperation on international taxation matters. In September 2013, Bermuda joined the Multilateral Convention on Mutual Administrative Assistance in Tax Matters of the Organization for Economic Cooperation and Development (OECD) to facilitate cooperation between jurisdictions in the assessment and collection of taxes, in particular to combat tax avoidance and evasion. The Convention came into force on 1 March 2014. Bermuda has around 90 tax information exchange multilateral agreement partners through its participation in the Convention (with the Group of 20 countries, all but one of the members of OECD and all States members of the European Union).

C. Tourism

17. Government statistics indicate that approximately 580,200 travellers visited Bermuda in 2014, spending a total of $361.2 million and directly accounting for 4.6 per cent of GDP. During the same year, 8.4 per cent of the workforce of the Territory was directly or indirectly employed in tourism, which directly generated 2,796 jobs, a decrease from 3,218 in 2013.

18. According to the administering Power, the budget allocated to the Ministry of Tourism Development and Transport for 2015/16 was approximately $23.5 million,

$21.7 million of which was granted to the Bermuda Tourism Authority. The hotel and restaurant sector contributed 4.6 per cent of GDP.

D. Construction

19. According to the administering Power, in 2014, the construction and quarrying sector grew slightly, by 0.6 per cent from the previous year, to a value of $178.7 million. In addition, the value of work carried out over the first half of 2015 was estimated at $38.9 million, compared with $79.5 million in the corresponding period of 2014, a decrease of 51.1 per cent. Of the work performed, 29 per cent was on residential properties, with 36 per cent undertaken by the private sector and 37 per cent by the public sector. According to the administering Power, several hotel developments are ongoing, including a new hotel in St. George's, with construction scheduled to commence in 2016, as well as a plan to build a new airport terminal and other work to be undertaken in preparation for the hosting of the thirty-fifth America's Cup, in 2017.

E. Transport and communications

20. With a network of about 200 km of paved public roads and 400 km of private roads, Bermuda has a high road traffic density, with approximately 78 vehicles per km in 2014. Restrictions on car ownership to one per household, coupled with a policy of allowing no rental cars, have resulted in the development of a public transportation system of buses and ferries. Free public transportation for resident students continues to be available. According to the official statistics, there was a total of 46,625 registered road vehicles in 2014, showing a decrease for the fifth consecutive year.

21. Regular commercial flights connect Bermuda to a number of destinations in the United States, Canada and the United Kingdom. Bermuda has its own air and ship regulatory agencies, with registries maintained by the Department of Civil Aviation and the Department of Maritime Administration.

22. The Territory has four international telecommunications service providers, three of which have their own transatlantic facilities, supplemented by satellite facilities for special services and emergency communications.

23. Government statistics indicate that in 2014/15, the total number of telephone subscribers, approximately 35,000, was the lowest since 1989/90, which was considered a result of the shift towards the use of cellular devices over landlines.

IV. Social conditions

A. General

24. According to the administering Power, in 2015/16, the Ministry of Community, Culture and Sports was allocated approximately $84.2 million, around 54 per cent of which was to ensure access to financial assistance for individuals with insufficient resources.

B. Labour

25. According to employment data for 2014, the total number of jobs in Bermuda decreased by 2.3 per cent to 33,475 (from 34,277 in 2013), and has been in decline since 2008. In addition, according to the data for 2015, the overall unemployment rate was at 7 per cent, down from 9 per cent in 2014, and for Bermudians was at 8 per cent, down from 10 per cent in 2014. A total of 2,129 Bermudians were without employment, down from the 2,957 reported in 2014. The unemployment rate among women and men was 8 per cent and 5 per cent, respectively.

26. The Ministry of Home Affairs has been responding to the challenges created by strengthening its core programmes that assist the population in finding employment and training the workforce to meet the criteria for the jobs that are available. In 2014, the Ministry brought together the public and private sectors to devise strategies to improve the economy and generate new jobs, which led to the development of the National Training Plan. Part 1 of the Plan, published in 2014, analysed major economic sectors in order to understand the current job market and determine the way forward for a sustainable workforce in Bermuda. Part 2 of the Plan, which is due to be published, is expected to address implementation strategies.

27. The Bermuda Job Board, an online national employment database operated by the Department of Workforce Development since November 2013, is available to Bermudians who are seeking employment, with the main objective of consolidating and centralizing the jobs available in Bermuda so as to help to connect workers and employers, allow more opportunities for qualified Bermudians to find employment and ultimately reduce the need for work permit applications. According to the administering Power, as at January 2016, more than 1,000 employers and more than 6,000 candidates were registered on the Job Board.

28. According to the administering Power, the Law Reform Committee, established by the Minister of Home Affairs and tasked to review, update and improve the legislative framework for labour, continued its work on the consolidation of labour laws in 2015, as referred to by the Governor on 13 November 2015, in the 2015 Speech from the Throne. Draft legislation is expected to be presented during the 2016 summer legislative session.

29. The new work permit policy, which came into effect on 1 March 2015, contains information on work permit categories, with the aim of encouraging new business start-ups in Bermuda. It is expected to lead to increased job opportunities for Bermudians, spouses of Bermudians and permanent residents.

C. Education

30. According to the administering Power, the Ministry of Education was provided with a budget allocation of around $127.1 million for 2015/16 to support its overall objective of providing strategic leadership, supervision and policy direction for the delivery of a high quality educational curriculum.

31. Education is compulsory and is free in public schools for all children from 5 to 18 years of age. According to the information provided by the administering Power, there are 10 preschools, 18 primary schools, 5 middle schools, 1 special needs school and 2 senior secondary schools in the public school system, with a student

population of around 5,300 in September 2015. There are a number of private schools, including six offering early primary education, serving approximately 40 per cent of pupils of compulsory school age. Those institutions receive no government funding. Official statistics indicated that the total school enrolment in 2014, which included public and private schools and Bermuda College, was approximately 9,700.

32. Bermuda College is the main facility in the Territory for tertiary education and is accredited by the New England Association of Schools and Colleges through its Commission on Institutions of Higher Education. According to the administering Power, the college identified 20 institutions with which it has articulation agreements (a process by which one institution matches its courses or requirements to coursework completed at another institution), whereas some of those same institutions have multiple agreements for different programmes. The college also has a list of more than 100 colleges and universities to which local graduates have successfully transferred after leaving the college. Citizens from British overseas territories benefit from the home student fee rate at British universities. According to the administering Power, an increasing number of students are taking advantage of the home fee rate and are studying in the United Kingdom. The European Union provides for access to funds, including for higher education and vocational education. In this regard, Bermuda College is seeking more articulation agreements with European institutions.

D. Public health

33. For 2015/16, the Ministry of Health, Seniors and Environment was provided with a budget of $197 million, representing some 18 per cent of total government expenditure, according to the information provided by the administering Power. In addition to regulation, the Ministry provides policy direction for the health sector, including an acute care hospital, a psychiatric hospital, the Bermuda Health Council, public health services, the health insurance system and the private health sector. The Territory has a hybrid health financing system consisting of direct public funding, social health insurance and government subsidies.

34. Bermuda has an ageing population and a low fertility rate. According to the statistics provided by the administering Power, 17 per cent of the population was expected to be 65 years or older in 2015, compared with 12 per cent in 2005. In 2014, the total fertility rate was 1.42 births per woman, which is below the replacement level of 2.10 births per woman. According to the Pan American Health Organization, life expectancy at birth in 2015 in the Territory is estimated at 84.9 years for women and 77.3 years for men. Life expectancy is reported as being four years less for black people than for white people.

E. Crime and public safety

35. One of the main responsibilities of the Ministry of Public Safety is strengthening the professional standards of the Bermuda Police Service, the Bermuda Regiment, the Bermuda Fire and Rescue Service, the Department of Corrections and the Department for National Drug Control. The Premier also serves as the Minister of National Security.

36. Efforts by the police to ensure public safety in the Territory include strong enforcement, community engagement and rigorous investigations leading to convictions. According to the administering Power, the second quarter of 2014 had the lowest crime rate in the Territory since 2000, largely owing to robust policing and increased community involvement. Crime continues to decrease, and the inter-agency gang task force remains committed to developing programmes that address and prevent antisocial behaviour.

37. The United Kingdom funds a law enforcement adviser based in Miami, United States, who coordinates, manages and facilitates training and strategic advice for the introduction of new techniques and skills for the Territory's law enforcement agencies.

F. Human rights and related issues

38. Core international and European human rights instruments are applied in Bermuda, including the European Convention on Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child and the International Convention on the Elimination of All Forms of Racial Discrimination. In addition, as previously reported, the Government decided to develop a national gender policy to promote equitable decision-making involving the different needs, constraints and priorities with regard to men and women. For example, the Constitution might pose a barrier to extending to Bermuda the Convention on the Elimination of All Forms of Discrimination against Women. This relates in particular to the requirement of the Convention that there should be equality between men and women before the law, since a non-Bermudian husband of a Bermudian woman has fewer rights than a non-Bermudian wife of a Bermudian man. Such discrimination would not be permitted under the Convention.

V. Environment

39. Approximately 98 per cent of the electric power in the Territory is provided by a single private entity, which relies exclusively on fossil fuels to generate electricity. The remaining 2 per cent of electric power is provided by the Tynes Bay waste-to-energy plant, which is owned and operated by the Ministry of Public Works.

40. In the 2015 Speech from the Throne, delivered on 13 November 2015, the Governor mentioned the development of a solar photovoltaic electricity generation facility in furtherance of the Territory's energy objectives, which include the greater use of renewable sources. The project, to be launched in 2016, reportedly has the potential to produce 20 per cent of the Territory's peak demand for electricity during daylight hours.

VI. Military issues

41. Bermuda maintains a defence regiment of around 600 soldiers, namely, the Bermuda Regiment, which includes a long-term "nucleus" of around 140 soldiers

and 30 full-time soldiers, in addition to part-time members. The adult male population of the Territory is subject to conscription by ballot, involving approximately three years of part-time liability for weekly drills, in addition to a 15-day annual camp. All soldiers are paid for their military service.

42. The Regiment regularly cooperates with foreign Governments and militaries, including those of Canada, Jamaica and the United States, and assists in disaster relief operations in other territories administered by the United Kingdom.

43. The administering Power remains committed to eliminating conscription. To that end, the Regiment has undertaken an extensive public relations campaign in an effort to bolster volunteer enlistment.

VII. Relations with international organizations and partners

44. Bermuda is an associate member of the Economic Commission for Latin America and the Caribbean, the Caribbean Community and the Caribbean Common Market and a member of the Caribbean Financial Action Task Force, which was set up to combat money-laundering. The Financial Intelligence Agency of Bermuda is a member of the Egmont Group of Financial Intelligence Units, and the Bermuda Monetary Authority is a member of regional and international financial regulatory bodies, including the International Association of Insurance Supervisors, the International Organization of Securities Commissions and the Group of International Finance Centre Supervisors. Bermuda also plays a key role in the Global Forum on Transparency and Exchange of Information for Tax Purposes of OECD as a member of its peer review group. Bermuda also participates in the Sea Turtle Conservancy, the Caribbean-United States Security Cooperation Dialogue, the International Trade Union Confederation, the International Criminal Police Organization and the International Olympic Committee.

45. The Territory joined the 2013 decision of the Council of the European Union on the association of the overseas countries and territories with the European Union (2013/755/EU), which came into force in 2014 and was approved, among other things, in an effort to move from a classic development cooperation approach towards a reciprocal partnership that promotes sustainable development and the values and standards of the European Union worldwide.

VIII. Future status of the Territory

A. Position of the territorial Government

46. Information regarding developments on the future status of Bermuda is reflected in section I above.

B. Position of the administering Power

47. On 15 October 2015, at the 7th meeting of the Special Political and Decolonization Committee (Fourth Committee) during the seventieth session of the General Assembly, the representative of the United Kingdom stated that the relationship of the Government of the United Kingdom with its overseas territories

was a modern one based on partnership, shared values and the right of the people of each territory to choose to remain British. The Government of the United Kingdom and its territories recognized that their relationship brought mutual benefits and responsibilities.

48. He went on to say that, since the publication in June 2012 by the Government of the United Kingdom of a white paper entitled *The Overseas Territories: Security, Success and Sustainability*, the United Kingdom had worked closely with its territories to further develop those partnerships. His Government had consolidated the annual meeting with the leaders of territories into a Joint Ministerial Council, with a clear mandate to review and implement the strategy and commitments set forth in the paper. His Government's fundamental responsibility and objective under international law, including the Charter of the United Nations, was to ensure the security and good governance of the territories and their people.

49. At the fourth meeting of the Overseas Territories Joint Ministerial Council, held in London on 1 and 2 December 2015, the United Kingdom and its overseas territory leaders agreed upon a communiqué setting out, among other things, the joint position of the United Kingdom and the overseas territories on self-determination. In the communiqué, the political leaders and representatives stated that leaders of the overseas territories were democratically elected by the people of the Territories and were accountable to them and that the principle of equal rights and self-determination of peoples, as enshrined in the Charter of the United Nations, applied to the peoples of the overseas territories. They reaffirmed the importance of promoting the right of the peoples of the territories to self-determination, a collective responsibility of all parts of the Government of the United Kingdom. They committed to explore ways in which the overseas territories could maintain international support in countering hostile sovereignty claims and agreed that the fundamental structure of their constitutional relationships had been the right one — powers had been devolved to the elected Governments of the territories to the maximum extent possible consistent with the United Kingdom retaining those powers necessary to discharge its sovereign responsibilities — while agreeing on the need to review the effectiveness of constitutional arrangements over time.

IX. Action taken by the General Assembly

50. On 9 December 2015, the General Assembly adopted, without a vote, resolutions 70/102 A and B, on the basis of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2015 (A/70/23) and the subsequent recommendation by the Fourth Committee. Section III of resolution 70/102 B concerns Bermuda. In that section, the Assembly:

(a) Stressed the importance of the 2005 report of the Bermuda Independence Commission, which provided a thorough examination of the facts surrounding independence, and continued to regret that the plans for public meetings and the presentation of a Green Paper to the House of Assembly followed by a White Paper outlining the policy proposals for an independent Bermuda had so far not materialized;

(b) Underlined the need to further strengthen good governance, transparency and accountability in government for the benefit of the Territory;

(c) Requested the administering Power to assist the Territory by facilitating its work concerning public educational outreach efforts, consistent with Article 73 *b* of the Charter of the United Nations, and in that regard called upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

(d) Welcomed the active participation of Bermuda in the work of the Economic Commission for Latin America and the Caribbean.

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British Virgin Islands

Working paper prepared by the Secretariat

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Note: The information contained in the present paper has been derived from public sources, including those of the territorial Government, and from information transmitted to the Secretary-General by the administering Power under Article 73 *e* of the Charter of the United Nations. Information was transmitted by the administering Power on 11 January 2016. Further details are contained in previous working papers available from www.un.org/en/decolonization/workingpapers.shtml.

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The Territory at a glance

Territory: The British Virgin Islands is a Non-Self-Governing Territory under the Charter of the United Nations administered by the United Kingdom of Great Britain and Northern Ireland.

Representative of administering Power: Governor John S. Duncan (August 2014).

Geography: Located approximately 100 km east of Puerto Rico and 25 km from the United States Virgin Islands, the Territory comprises a group of some 50 islands, islets and cays that form an archipelago with the United States Virgin Islands. Twenty of the islands are inhabited. The major islands are Tortola, Virgin Gorda, Anegada and Jost Van Dyke.

Land area: 153 km^2.

Exclusive economic zone: 80,117 km^2.

Population: 28,200 (2010 census), of which 39 per cent are citizens, or "belongers". The great majority of "non-belongers" hail from countries in the region, North America and Europe.

Life expectancy at birth: 78.5 years (men: 77.1 years, women: 79.9 years (2015 estimate)).

Language: English.

Capital: Road Town, located on the largest island, Tortola.

Head of territorial Government: Premier Daniel Orlando Smith.

Main political parties: National Democratic Party; Virgin Islands Party.

Elections: Most recent: 8 June 2015; next: due by June 2019.

Legislature: 15-member unicameral House of Assembly.

Gross domestic product per capita: $31,300 (2013 estimate).

Economy: Financial services and tourism.

Main trading partners: The United States of America, the United Kingdom and the States members of the Caribbean Community.

Unemployment rate: 2.8 per cent (2014).

Monetary unit: United States dollar.

Brief history: The earliest known inhabitants of the Territory were the Arawaks and the Caribs, indigenous peoples of the region. The Dutch established the first permanent European settlement in 1648. British planters took control of the islands in 1666 and the Territory attained the status of a British colony.

I. Constitutional, political and legal issues

1. Under the Virgin Islands Constitution Order 2007, the British crown appoints a Governor with responsibilities for defence, internal security, external affairs, the terms and conditions of service for persons in the public service and the administration of the courts. In the areas of internal security and external affairs, the Constitution provides for the territorial Government to have formal input, given that they relate to certain matters falling within ministerial portfolios. There is a reservation for the British crown to make laws for the peace, order and good government of the Virgin Islands. The United Kingdom of Great Britain and Northern Ireland retains unlimited power to legislate for the Territory. In terms of external relations, the British Virgin Islands is entrusted to negotiate treaties in specific areas, such as certain offshore financial matters.

2. The 2007 Constitution led to the introduction of a cabinet-style Government. The Cabinet consists of the Premier, appointed by the Governor from among the elected members of the House of Assembly; four other Ministers, appointed by the Governor on the advice of the Premier; and one ex officio member, namely, the Attorney General. The Governor attends and presides over the Cabinet but does not have a voting right. The agenda is agreed by the Cabinet Steering Committee, consisting of the Governor, the Premier and the Cabinet Secretary. The House of Assembly consists of a Speaker, the Attorney General (ex officio) and 13 elected members — 9 from one-member electoral districts and 4 representing the Territory at large.

3. General elections must be held at least once every four years. Candidates are elected on the basis of a simple majority. Persons voting must be 18 years of age or over and have "belonger" status. Belonger status includes the right to work without a permit and the right to vote. In practice, a person must reside continuously in the Territory for 20 years before he or she may apply for permanent residence and, subsequently, belonger status. In the general election held on 8 June 2015, the incumbent National Democratic Party (NDP) led by Premier Daniel Orlando Smith again won a majority, 11 out of 13 of seats, while the Virgin Islands Party won the remaining seats. In its final report on the June 2015 election, the Commonwealth Elections Observer Mission, which had been invited by the Governor and supported by the territorial Government and the Opposition, stated that the election had met key international standards, while making recommendations on further improvements to streamline the voting and counting procedures and to address the deficiencies in the regulatory framework, in particular in relation to the registration of political parties and campaign financing.

4. The law of the British Virgin Islands comprises the common law of England and legislation that is enacted either locally or by the United Kingdom on behalf of the Territory. Justice is administered by the Saint Lucia-based Eastern Caribbean Supreme Court, which consists of the High Court of Justice and the Court of Appeal. According to the administering Power, there are three resident High Court judges and a visiting Court of Appeal, which comprises the Chief Justice and two judges of appeal and sits twice a year in the Territory. There is also a magistrates court, which hears prescribed civil and criminal cases, as well as a juvenile court and a court of summary jurisdiction. The Privy Council of the United Kingdom is the final court of appeal. The British Overseas Territories Act 2002 provides for the granting of British citizenship to "British Overseas Territory citizens".

5. As previously reported, at the Pacific regional seminar held in Quito from 30 May to 1 June 2012, the representative of the British Virgin Islands stated that the Territory's position was to maintain its current relationship with the administering Power, built on mutual respect and a mature partnership, as the Territory continued to grow. Furthermore, speaking at the Caribbean regional seminar held in Quito from 28 to 30 May 2013, the representative of the British Virgin Islands stated that, in his view, the Special Political and Decolonization Committee (Fourth Committee) should set specific achievable goals, taking into account the particularities of each territory, in order to further advance the decolonization process in all the territories.

II. Budget

6. The fiscal year of the Government of the British Virgin Islands runs from January to December. According to the territorial Government, the estimated expenditure of the Territory for 2014 amounted to approximately $265.2 million, with estimated revenue of about $298 million. According to the 2015 budget address delivered on 17 November 2014, the revenue for 2015 was projected to be approximately $311.1 million and expenditure $278.3 million.

7. The Territory collects stamp duties on certain transactions and property and payroll taxes; however, there are no value added or goods and services taxes and the income tax is 0 per cent. In the 2015 budget address, it was stated that, in view of the closing gap between revenue and expenditure, the territorial Government decided in its fiscal strategy to augment its revenue streams by, for example, changing the work permit fees to be based on occupation type and changing water rates to align with the increased cost of purchasing and providing water.

III. Economic conditions

A. General

8. The two main pillars of the Territory are tourism and offshore financial services. The gross domestic product (GDP) for 2013 was $923.2 million, indicating nominal growth of 1.52 per cent over the 2012 figures of $909.4 million. According to the medium-term fiscal plan of the territorial Government for the years 2015 to 2017, the economy of the Territory returned to positive growth in 2013, driven by growth in the hotel and restaurant and transport and communication sectors, accompanied by the sustained performance of the financial services sector.

B. Financial services

9. In 2013, financial services constituted approximately one third of overall economic activity in the Territory, as has been the case since 2010. In addition, the revenue from financial services in 2013 increased by 1.4 per cent, compared with 2012. Furthermore, revenue from incorporations in the first nine months of 2014 rose by 1.8 per cent, compared with the same period in 2013.

10. In the communiqué adopted at the fourth meeting of the Overseas Territories Joint Ministerial Council, held in London on 1 and 2 December 2015, all overseas territories with financial services confirmed their full commitment to international cooperation in tax matters and to the fight against money laundering, tax evasion, illicit finances and corruption.

C. Tourism

11. In 2014, over 755,000 tourists visited the Territory, including some 361,000 cruise ship visitors and 386,000 overnight visitors, with the number of overnight visitors surpassing that of cruise ship visitors. Furthermore, in the first eight months of 2015, a total of 614,101 arrivals was recorded, including over 290,000 overnight visitors and 315,000 cruise ship visitors.

D. Agriculture and fisheries

12. Agriculture and fishing account for approximately 0.5 per cent of the Territory's GDP. Most food requirements are met through imports. Approximately 800 ha of land are cultivated and another 4,000 ha are devoted to pasture. The main crops are fruits and vegetables, produced both for local consumption and for export to the United States Virgin Islands. In 2015, as part of its $46.5 million capital expenditure of that year's budget, the territorial Government announced the $2 million greenhouse development project to further develop agriculture and improve food security through the Territory.

13. The Territory's Fisheries Act of 1997 and Fisheries Regulations of 2003 govern small-scale commercial and recreational fisheries, which serve mainly the local market.

E. Communications and infrastructure

14. The British Virgin Islands has more than 200 km of surfaced roads. The Government continues to upgrade road infrastructure and to expand the road network. As previously reported, the Infrastructure Rehabilitation Loan Project, the joint venture between the territorial Government and the Caribbean Development Bank, continued to support the implementation of road and bridge rehabilitation works to improve drainage in flood-prone areas.

15. There are three international airports. Direct shipping services operate from the Netherlands, the United Kingdom and the United States. A deep-water harbour is located in Road Town. A regular ferry service links Tortola with some of the islands, as well as with Saint Thomas in the United States Virgin Islands.

16. The extension of the cruise pier in Tortola, along with landside development, which had commenced in 2014, continued in 2015. According to the official press release, this project was loan-funded and managed by the Ports Authority, and the total estimated completion cost was $82.9 million.

17. Physical planning in the British Virgin Islands is governed by the Physical Planning Act of 2004, under which all development in the Territory must be approved by the Physical Planning Authority.

18. Tortola is reportedly the only island in the Territory with a public sewage system, although it does not cover the entire island. A number of islands also reportedly suffer from a lack of potable water, despite the introduction of desalination in the 1980s. In 2015, the territorial Government continued to improve the Territory's public water and sewage system.

IV. Social conditions

A. Labour and immigration

19. In 2014, the employed population of the Territory was 18,950 persons, 28 per cent of whom were British Virgin Islanders and 68 per cent foreign workers. The remaining 4 per cent were not specified. A majority of the employment is on the islands of Tortola and Virgin Gorda, sharing 85.3 and 10.7 per cent of the total, respectively.

20. The main employers are the territorial Government (22.1 per cent), followed by hotels and restaurants (16.7 per cent) and real estate, renting and business activity (16.6 per cent). On average, an employed person in the Territory earned $26,368.86 in 2014.

21. The total unemployment rate was 2.8 per cent in 2014, which has remained constant since 2010. The Government's Youth Employment Services initiative remains in operation, and efforts to register unemployed youth and provide basic job training and preparation skills through this initiative continue.

22. In November 2014, the 17-member Minimum Wage Advisory Committee was formed on the basis of its approval by the territorial Government on 19 September 2014 in order to consider the effects of raising the minimum wage, which has remained at $4 per hour since 1999. The Committee recommended an increase in the minimum wage to $6 per hour in its report dated 21 July 2015. The report was presented in the House of Assembly on 2 November 2015.

23. Work permit exemptions are granted by the territorial Government on the basis of enrolment in the school system (entrance at the primary level and completion at the secondary level), marriage to a belonger for a period of no less than three years or residency in the Territory of the British Virgin Islands for 20 years or more by a person who has demonstrated good character. According to the administering Power, the number of exemptions granted is considered on an annual basis.

B. Education

24. The education system in the Territory is guided by the Education Act 2004 and its amendments, including the Education (Amendment) Act 2014. The regulations contained therein are expected to provide guidance to the education system and its stakeholders regarding the implementation of programmes and services, the monitoring of the delivery of education programmes operated under the Act and the conduct of school supervision, including complaint investigations requested by the public.

25. According to the administering Power, the Territory has 14 public primary schools and 4 public secondary schools, in addition to 1 public pre-primary school and 1 public special education learning centre. There are also a number of private primary and secondary schools.

26. Primary and secondary education are free and compulsory for children aged 5 through 17. Tertiary education is offered for free to Virgin Islanders at the local community college (H.L. Stoutt Community College), which has campuses on Tortola and Virgin Gorda Islands. The college also collaborates with several universities outside the Virgin Islands that offer programmes at the Bachelor's degree level.

27. Citizens from the British overseas territories benefit from the home student fee rate at British universities. In addition, the European Union provides for access to, among others, horizontal European Union funds, such as those for higher education and vocational education.

C. Public health

28. The Health Services Authority of the Territory, a statutory body, was established in 2005 to manage public health-care delivery services. The National Health Insurance, providing universal health-care coverage, was launched in September 2015 and became operational in January 2016. According to the administering Power, electronic health records are in place in both public and private facilities and there is active use of videoconferencing to support care on remote islands.

D. Crime and public safety

29. According to the territorial Government, crime in the British Virgin Islands has fallen since 2012, with burglaries decreasing by 50 per cent in the first quarter of 2015, compared with the same period in 2014.

30. During 2015, the United Kingdom continued its funding of a law enforcement adviser based in Miami, United States, who coordinated, managed and facilitated training and strategic advice to introduce new techniques and skills to the Territory's law enforcement agencies. In addition, HMS *Severn* and RFA *Lyme Bay* were in the Caribbean as part of the Royal Navy's Atlantic Patrol Tasking North from January to July and from July to December, respectively, providing a British maritime presence, humanitarian assistance and disaster relief and crisis communications in the region throughout the year. During the core hurricane season, a larger Royal Navy or Royal Fleet Auxiliary ship is on standby to provide humanitarian and disaster relief support to Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Montserrat and the Turks and Caicos Islands. During their time in the Caribbean, both ships also worked with other regional navies and coastguards to combat illegal activities on the high seas.

E. Human rights

31. Major international and European human rights conventions have been extended to the British Virgin Islands. Chapter 2 of the 2007 Constitution enshrines fundamental rights and freedoms of the individual and provides for the establishment by law of a human rights commission. According to the administering Power, in November 2014, a bill entitled "Human Rights Commission Act" was introduced in the House of Assembly. Some of the powers and duties of the human rights commission to be established include educating the public on the rights and freedoms in the 2007 Constitution and those relating to other international human rights instruments or activities. According to the administering Power, it is anticipated that the commission will be established in 2016. The judicial system continues to hear matters brought on the grounds of alleged infringements of human rights.

32. The first National Policy for Gender Equity and Equality was developed in 2011 with the objective of educating and changing public attitudes on gender roles and responsibilities and developing new strategies to eliminate domestic and other forms of gender-based violence and discrimination in the Territory.

V. Environment

33. The British Virgin Islands has acceded to several multilateral environmental agreements, including the Convention on International Trade in Endangered Species of Wild Fauna and Flora, the Convention on Biological Diversity and the Convention on Wetlands.

34. In 2014, the territorial Government passed legislation to establish a permanent shark sanctuary in its territorial waters and prohibit commercial fishing of all shark and ray species throughout those waters. In addition, according to the administering Power, public consultations have been held since 2014 to dedicate six new protected coastal and marine zones.

VI. Relations with international organizations and partners

35. The British Virgin Islands has associate membership in the Economic Commission for Latin America and the Caribbean, the International Labour Organization and the United Nations Educational, Scientific and Cultural Organization.

36. The Territory is an associate member of the Caribbean Community, the Caribbean Common Market and the Organization of Eastern Caribbean States and is a borrowing member of the Caribbean Development Bank.

37. In March 2014, the Territory hosted the sixth meeting of the Inter-Virgin Islands Council between the British Virgin Islands and the United States Virgin Islands with a view to addressing mutual interests and challenges and to fostering and promoting cooperation between the two Territories. Topics addressed in the meeting included law enforcement, pleasure boating and sport fishing, cooperation in tourism, energy and utilities and culture and education.

38. As a Non-Self-Governing Territory of the United Kingdom, the British Virgin Islands is associated with the European Union but is not a part of it. The Territory is a member of the association of the overseas countries and territories of the European Union.

VII. Future status of the Territory

A. Position of the territorial Government

39. The position of the territorial Government regarding the future status of the British Virgin Islands is reflected under section I, above.

B. Position of the administering Power

40. On 15 October 2015 at the 7th meeting of the Special Political and Decolonization Committee (Fourth Committee) during the seventieth session of the General Assembly, the representative of the United Kingdom stated that the relationship of the Government of the United Kingdom with its overseas territories was a modern one based on partnership, shared values and the right of the people of each territory to choose to remain British. The Government of the United Kingdom and its territories recognized that their relationship brought mutual benefits and responsibilities.

41. He went on to say that, since the publication in June 2012 by the Government of the United Kingdom of a white paper entitled *The Overseas Territories: Security, Success and Sustainability*, the United Kingdom had worked closely with its territories to further develop those partnerships. His Government had consolidated the annual meeting with the leaders of territories into a Joint Ministerial Council, with a clear mandate to review and implement the strategy and commitments set forth in the paper. His Government's fundamental responsibility and objective under international law, including the Charter of the United Nations, was to ensure the security and good governance of the territories and their people.

42. At the fourth meeting of the Overseas Territories Joint Ministerial Council, held in London on 1 and 2 December 2015, the United Kingdom and overseas territory leaders agreed upon a communiqué setting out, among other things, the joint position of the United Kingdom and the overseas territories on seif-determination. In the communiqué, the political leaders and representatives stated that leaders of the overseas territories were democratically elected by the people of the Territories and were accountable to them and that the principle of equal rights and self-determination of peoples, as enshrined in the Charter of the United Nations, applied to the peoples of the overseas territories. They reaffirmed the importance of promoting the right of the peoples of the territories to self-determination, a collective responsibility of all parts of the Government of the United Kingdom. They committed to explore ways in which the overseas territories could maintain international support in countering hostile sovereignty claims and agreed that the fundamental structure of their constitutional relationships had been the right one — powers had been devolved to the elected Governments of the territories to the maximum extent possible consistent with the United Kingdom retaining those powers necessary to discharge its sovereign responsibilities — while agreeing upon the need to review the effectiveness of constitutional arrangements over time.

VIII. Action taken by the General Assembly

43. On 9 December 2015 the General Assembly adopted resolutions 70/102 A and B without a vote, on the basis of the report of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples for 2015 (A/70/23) and the subsequent recommendation by the Fourth Committee. Section IV of resolution 70/102 B concerns the British Virgin Islands. In that section, the General Assembly:

(a) Recalled the 2007 Constitution of the British Virgin Islands and stressed the importance of continued discussions on constitutional matters to accord greater responsibility to the territorial Government for the effective implementation of the Constitution and increased levels of education relating to constitutional matters;

(b) Requested the administering Power to assist the Territory by facilitating its work concerning public outreach efforts, consistent with Article 73 *b* of the Charter, and in that regard called upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

(c) Welcomed the active participation of the Territory in the work of the Economic Commission for Latin America and the Caribbean;

(d) Recalled the holding, in March 2014, of the meeting of the Inter-Virgin Islands Council between the Territory and the United States Virgin Islands.

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Cayman Islands

Working paper prepared by the Secretariat

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Note: The information contained in the present working paper has been derived from public sources, including those of the territorial Government, and from information transmitted to the Secretary-General by the administering Power under Article 73 *e* of the Charter of the United Nations. Information was transmitted by the administering Power on 11 January 2016. Further details are contained in previous working papers, available from www.un.org/en/decolonization/workingpapers.shtml.

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The Territory at a glance

Territory: The Cayman Islands is a Non-Self-Governing Territory under the Charter of the United Nations administered by the United Kingdom of Great Britain and Northern Ireland.

Representative of administrative Power: Governor Helen Kilpatrick (September 2013)

Geography: Located some 290 km west of Jamaica and about the same distance south of Cuba, the Territory comprises three islands: Grand Cayman, Cayman Brac and the adjacent Little Cayman.

Land area: 264 km^2

Exclusive economic zone: 119,137 km^2

Population: 58,238 (2014 estimate)

Life expectancy at birth: 81.1 years (male 78.4 years, female 83.9 years (2015 estimate))

Ethnic composition: Afro-European (40 per cent), African (20 per cent), European (20 per cent), other (20 per cent)

Languages: English

Capital: George Town

Head of the territorial Government: Premier Alden McLaughlin (May 2013)

Main political parties: People's Progressive Movement (Progressives), Cayman Islands Democratic Party

Elections: The most recent elections were held on 22 May 2013; the next elections are due in May 2017.

Legislature: Legislative Assembly (18 elected and 2 ex officio members)

Gross domestic product per capita: US$ 57,714 (2014 estimate)

Economy: International financial services and tourism

Main trading partners: United States of America

Unemployment rate: 4.7 per cent (2014 estimate)

Monetary unit: Cayman dollar, pegged to the United States dollar (CI$ 1 = US$ 1.20)

Brief history: The Territory, reportedly sighted by Christopher Columbus in the late fifteenth century, was first settled by the British between 1661 and 1671. A tradition of self-government gradually grew in the Territory since 1734 and a legislative assembly was established in 1831. Slavery was abolished in 1834. In 1863, the Cayman Islands became a dependency of Jamaica and, when the latter achieved independence 99 years later, the Islands remained under the British Crown.

I. Constitutional, legal and political issues

1. Under the 2009 Constitution, the Governor, appointed by the British Crown, is responsible for external affairs, defence, internal security and the appointment of persons to the civil service.

2. The Legislative Assembly consists of the Speaker, 18 elected members and 2 ex officio members, the Deputy Governor and the Attorney General. The Speaker of the Assembly can be either an elected member of the Assembly who is not a minister or a person qualified to be an elected member of the Assembly. The Territory's Cabinet, chaired by the Governor, is composed of the Premier, six other ministers and two ex officio members, namely the Deputy Governor and the Attorney General. The Premier is a member of the Assembly who is recommended by the party with the majority of seats and appointed by the Governor. The six other ministers are appointed by the Governor upon the advice of the Premier from within the elected membership of the Assembly.

3. During the general elections held in May 2013, the People's Progressive Movement (Progressives) won 9 of the 18 seats in the Assembly. The United Democratic Party, now known as the Cayman Islands Democratic Party, won three seats, and the remaining six seats were won by candidates who ran as independents or as part of differing political groups. Following the election, the former Premier, Juliana O'Connor-Connolly, joined the Progressives, giving them a majority of seats to form the Government. Shortly thereafter, three other newly elected representatives, who had campaigned together as the Coalition for Cayman political group, also agreed to serve in the new Administration, thus giving the Progressives a majority of 13 seats in the Assembly. As a result, the Leader of the Progressives, Alden McLaughlin, was appointed Premier.

4. The judiciary consists of a summary court (including a youth court), a coroner's court, a grand court and a court of appeal. The Summary Court has civil and criminal jurisdiction. Appeals from the Summary Court lie to the Grand Court, which is a superior court of record and administers the common law of England and Wales. Appeals from the Grand Court lie to the Court of Appeal, composed of a president and no fewer than two judges. Further appeal lies, in certain circumstances, to the Judicial Committee of the Privy Council in London. According to the administering Power, the Territory has also developed three "problem-solving" courts to deal with offenders with drug addiction or mental health problems or those who have committed offences in a domestic context.

5. As previously reported, in 2011, the Cayman Islands Review Committee issued a report entitled "United Kingdom and Cayman Islands Relationship Review". Among the central issues raised during the consultative exercise was a desire to achieve more local autonomy, while at the same time establishing a relationship that allowed for sustained support from the United Kingdom — for instance, in case of pressure from the international financial community.

6. Also as previously reported, at a meeting of the Commonwealth Parliamentary Association held in Johannesburg, South Africa, in September 2013, a former Premier of the Territory stated that the Cayman Islands had no mandate for independence, nor had the question arisen publicly.

II. Budget

7. The Territory's 2015/16 budget document forecasts total operating revenues of some CI$ 661.2 million and operating expenses of some CI$ 539.9 million. Unaudited financial results indicate that, during the financial year that ended on 30 June 2015, the territorial Government registered a surplus of CI$ 134.6 million.

8. Since 2012, the United Kingdom and the Cayman Islands have been working together under a framework for fiscal responsibility that commits the Territory to prudent and transparent fiscal management through effective medium-term planning.

9. The Cayman Islands is a jurisdiction with no direct individual or corporate income tax. The principal sources of government revenue are import duties, financial services, licence fees, work permit fees and stamp duties. There is also an environmental tax on visitors.

10. The Cayman Islands is not eligible for territorial allocations under the eleventh European Development Fund, but is eligible for non-programmed aid.

III. Economic conditions

A. General

11. According to the administering Power, the Cayman Islands has one of the highest standards of living in the Caribbean. The economy is based on the provision of financial services — the dominant sector in the economy — and tourism. There are no commercial fisheries.

12. The administering Power estimated the 2014 gross domestic product (GDP) at US$ 3.1 billion, an estimated growth of 2.1 per cent, compared with 1.4 per cent in 2013. Furthermore, according to the Cayman Islands 2015 semi-annual economic report, in the first half of 2015, the Territory's economy grew by 1.6 per cent, owing mainly to increased economic activity in real estate, renting and business services and construction.

B. Financial services

13. According to government statistics, the financial services sector accounted for 41.2 per cent of the Territory's GDP in 2014.

14. According to "The Cayman Islands' Annual Economic Report 2014" of the territorial Government, the Cayman Islands was ranked as the sixth top financial centre in the world in 2014. In the same year, bank and trust licences declined to 198 from 213 in 2013, while total insurance licences stood at 787, which was practically the same as the previous year. The number of company registrations in 2014 increased by 4.1 per cent from 2013, to a total of 99,459, with the number of new registrations totalling 11,010.

15. The Cayman Islands became a signatory to the Council of Europe-Organization for Economic Cooperation and Development (OECD) Convention on Mutual Administrative Assistance in Tax Matters, in 2014. Furthermore, in October

2014, the Cayman Islands became one of the first signatories to the Multilateral Competent Authority Agreement on Automatic Exchange of Financial Account Information based on article 6 of the Convention, which signified its commitment to the automatic exchange of information through the OECD Common Reporting Standard. In October 2015, the Cayman Islands adopted domestic legislation to implement the Common Reporting Standard.

16. In the communiqué adopted at the fourth meeting of the Overseas Territories Joint Ministerial Council, held in London on 1 and 2 December 2015, all overseas territories with financial services confirmed their full commitment to international cooperation in tax matters and to efforts to combat money-laundering, tax evasion, illicit finances and corruption.

C. Tourism

17. Tourism was one of the key drivers of GDP growth in 2014 and in the first half of 2015. Cayman Airways, along with other airlines, operates international services from various cities in Canada, Cuba, Honduras, Jamaica, Panama, the United States and a number of European countries. Domestic airline services and charters operate between the three islands in the Territory.

18. In 2014, overall tourist arrivals were approximately 2.0 million, an increase of 15.7 per cent compared with the previous year, owing mainly to a 17 per cent increase in cruise arrivals, which were approximately 1.6 million. Cruise arrivals in 2014 were at their highest since 2007. In addition, stay-over arrivals increased in 2014 to 382,816, a growth of 10.8 per cent from the previous year (approximately 345,400). The number of stay-over arrivals in the Territory has been on the rise since 2009, while overall arrivals are fluctuating between 1.7 million and 2.0 million. According to the territorial Government, rebranding efforts and the development of tourism niches, such as sports tourism, could be cited as positive factors contributing to the increase in stay-over arrivals.

D. Agriculture

19. According to information provided by the administering Power, in 2014, the contribution to GDP by the agricultural sector remained steady at an estimated CI$ 9.1 million.

20. In addition, the administering Power indicated that the territorial Government was considering a draft national food and nutrition security policy and strategy that was received in November 2015 and intended to promote and ensure the availability and accessibility of adequate, affordable, safe and nutritious food for all people, especially the vulnerable, at all times in the Cayman Islands so as to meet their dietary and food preferences for an active and healthy life.

21. The Department of Agriculture is continuing to encourage local agricultural production through the provision of technical support, education and assistance to farmers.

E. Infrastructure

22. According to official data, the number of building permits granted in 2014 decreased by 16.4 per cent to 539, compared with 645 in 2013, continuing the downward trend for a fifth consecutive year. On the other hand, the value of building permits surged in 2014 to CI$ 356.1 million from CI$ 181.5 million the previous year. In 2014, 1,029 proposed projects were approved at a value of CI$ 411.6 million, compared with 983 projects at a value of CI$ 463.7 million in 2013.

23. The road network comprises approximately 590 km of roadways, the majority of which are located in Grand Cayman, with 99 district roads maintained throughout the Territory.

24. In the 2015/16 budget address delivered on 15 May 2015, the terminal upgrades of the international airport and the cruise berthing facility were identified as major projects that were expected to increase investment and economic growth.

F. Telecommunications and utilities

25. Four telephone companies provide fixed and/or mobile voice and data services, three companies provide subscription television services and there are 15 FM radio broadcasting stations in the Territory. According to the administering Power, as at 30 June 2015, the total number of fixed and mobile telephone lines had decreased by 0.6 per cent to approximately 122,600. Over the same period, the number of fixed high-speed broadband connections increased by 16.3 per cent to approximately 24,800.

26. According to the administering Power, on Grand Cayman, where the Caribbean Utilities Company has a non-exclusive licence for electricity generation and an exclusive licence for its transmission and distribution, almost all power generation relies on imported diesel. In addition, in October 2015, the Electricity Regulatory Authority approved a 5-MW solar power purchase agreement between an independent power producer and the Caribbean Utilities Company to provide energy to power some 800 homes with renewable solar energy; the project is scheduled to be completed by October 2016. Furthermore, since 2011, Grand Cayman has had a consumer-owned renewable energy generation programme, which allows consumers to generate energy from renewable sources and to be compensated through stable, long-term rates, with a current capacity limit of 4 MW, increased from 3 MW in 2015. On Cayman Brac and Little Cayman, the Cayman Brac Power and Light Company has exclusive licences. According to the administering Power, potable water consumption by residential and commercial customers increased by 3.5 per cent during the first six months of 2015, compared with the same period in 2014.

IV. Social conditions

A. General

27. According to information provided by the administering Power, in the fiscal year 2013/14, 2,493 families received some type of public assistance.

28. According to the administering Power, to provide a more effective response to the social issues within the Territory, the Ministry of Community Affairs, Youth and Sports continues to strategically realign the services offered under its ambit, with specific focus on child safeguarding. The Needs Assessment Unit, which has been in operation for more than a year, following the decision to separate the welfare assistance services, continues to provide welfare services to vulnerable persons who meet the established criteria. In addition, the Department of Children and Family Services manages clinical services (such as care and protection investigation, assessment and monitoring of cases that involve child abuse, foster care and adoption and custody assessments), programme services (including provision of residential services to adults with special needs and persons with disabilities, community development and disaster preparedness), as well as services to senior citizens. In 2015, a full-time social worker based in the Family Support Unit of the Royal Cayman Islands Police Service was in charge of improving child safeguarding systems.

29. The Department of Counselling Services continues to offer community-based therapy and counselling services, residential treatment services for drug and alcohol abuse, skills-building workshops and programmes and broad public awareness campaigns on a variety of emerging social issues.

B. Labour and immigration

30. According to government statistics, in 2014, the labour force numbered 39,582 persons, comprising 19,689 Caymanians (49.7 per cent of the labour force) and 19,893 non-Caymanians (50.3 per cent). Total employment in 2014 was estimated at 37,723, 4.5 per cent higher than that of the previous year. The unemployment rate fell to 4.7 per cent in 2014 (compared with 6.3 per cent in 2013). The unemployment rate among Caymanians and non-Caymanians declined from 9.4 per cent and 3.1 per cent in 2013 to 7.9 per cent and 1.5 per cent in 2014, respectively. According to the administering Power, in June 2015, the unemployment rate forecast for 2015 was 5.2 per cent.

31. According to the administering Power, the independent Minimum Wage Advisory Committee, appointed by Cabinet under the provisions of the Labour Law (2011), presented its final recommendations on establishing a minimum wage regime for the Cayman Islands in February 2015, which were accepted by the Government and are expected to lead to the legislative establishment of an hourly minimum wage of CI$ 6 in March 2016.

32. As previously reported, the Territory's Immigration Law was amended in 2013 to effect changes, inter alia, to the grant of permanent residence, the expiration of the term-limit exemption permit for key employees and the tenure of specialist caregivers.

33. Government statistics indicate that the number of work permits for non-Caymanian workers in 2014 was 21,076, an increase of 8.5 per cent from 19,432 in 2013, and that the number in the first half of 2015 also increased by 7.5 per cent compared with the same period in 2014.

C. Education

34. Education is compulsory for all resident children between 5 and 16 years of age. The public education system caters to about two thirds of Caymanian children, with the remainder attending fee-paying schools. Two public and two private institutions provide tertiary education. Citizens from overseas territories benefit from the home student fee rate at British universities. The European Union provides for access to, among others, horizontal European Union funds, such as those for higher education and vocational education.

D. Public health

35. Health insurance is compulsory in the Cayman Islands. The Territory's Health Services Authority is responsible for the provision of all public health care.

E. Crime and public safety

36. The 452-strong Royal Cayman Islands Police Service is headed by a commissioner, who reports to the Governor.

37. According to the crime statistics of the Royal Cayman Islands Police Service, in 2014, overall crime increased by 14.8 per cent compared with the previous year, from 3,196 incidents in 2013 to 3,670 incidents in 2014. Furthermore, in the first half of 2015, the overall number of crimes dropped to 1,547, compared with 1,719 during the same period in 2014. On the other hand, the number of serious crimes in the first half of 2015 rose to 414, compared with 364 during the same period in 2013, an increase of 13.74 per cent. According to the administering Power, during the second quarter of 2015, however, a noticeable increase in incidents of burglary and attempted burglary elevated the number of overall serious crimes by 14 per cent. According to the administering Power, burglary continues to be a persistent problem, increasing by 16.25 per cent in the first half of 2015.

38. In addition, there was a 15 per cent decrease in the number of traffic accidents in the first half of 2015 to 462, compared with 541 during the same period in 2014, and an increase of 17 per cent in the number of traffic citations and offences. Six fatalities were recorded during the first six months of 2015, while there were no fatalities during that period in 2014.

39. According to the administering Power, Youth Court statistics in 2014 continue to show a small decrease in the number of children convicted of criminal offences, compared with the peak of 77 children in 2011. The number of offences has also decreased, with 120 offences committed by juveniles in 2014, compared with 168 in 2013. A similar trend was also found in the number of cases filed.

40. The Cayman Islands Monetary Authority is the body responsible for monitoring compliance with international financial standards in the Territory and for reporting findings to the territorial Government on a regular basis. An anti-corruption commission was established under the Territory's Anti-Corruption Law (2008).

41. During 2015, the United Kingdom continued to fund a law enforcement adviser based in Miami, United States, who coordinated, managed and facilitated training and strategic advice to introduce new techniques and skills for the Territory's law enforcement agencies. In 2015, HMS *Severn* and RFA *Lyme Bay* were in the Caribbean as part of the Royal Navy's Atlantic Patrol Tasking North, from January to July and from July to December, respectively, providing a United Kingdom maritime presence, humanitarian assistance and disaster relief and crisis communications in the region throughout the year. During core hurricane season, a larger Royal Navy or Royal Fleet Auxiliary ship is on standby to provide humanitarian and disaster relief support to Anguilla, Bermuda, the British Virgin Islands, the Cayman Islands, Montserrat and the Turks and Caicos Islands. During their time in the Caribbean, both ships also worked with other regional navies and coastguards to combat illegal activities on the high seas.

F. Human rights

42. The Territory is subject to several major human rights conventions to which the administering Power has acceded, including the European Convention for the Protection of Human Rights and Fundamental Freedoms, and has a human rights commission with responsibilities that include investigating complaints. A formal request was made in December 2013 to the Government of the United Kingdom to extend the Convention on the Elimination of All Forms of Discrimination against Women to the Cayman Islands. Following that request, the United Kingdom Government Equalities Office requested the Territory to complete an "evidence-gathering exercise" before extension of the Convention to the Territory could be considered.

43. As previously reported, part I of the Cayman Islands Constitution Order (2009) setting out the Bill of Rights, Freedoms and Responsibilities came into effect on 6 November 2012, with the exception of the provisions relating to the segregation of prisoners, which came into effect in 2013.

44. In 2012, the Gender Equality Law (2011) took effect and a five-person gender equality tribunal was established to hear and determine discrimination complaints.

45. The Cayman Islands Disability Policy 2014-2033 was developed with the vision of ensuring that persons with disabilities could live with dignity, be respected and have the opportunity to participate fully in society.

V. Environment and disaster preparedness

46. The Cayman Islands are included in the United Kingdom's ratification of the Convention on Biological Diversity. The Department of Environment works along with other agencies to ensure that the Territory's natural resources are preserved and protected. Furthermore, Hazard Management Cayman Islands, a government

agency, has overall responsibility for the Territory's hazard management programme, including preparedness, response, mitigation and recovery. An annual hurricane exercise is conducted prior to the hurricane season, which runs from 1 June to 30 November.

47. Increasing recreational and artisanal fishing in the shallow waters around the Islands continues to represent a threat to the Territory's marine environment. The National Conservation Law (2013) aims to protect and conserve endangered, threatened and endemic plants and their habitats, as well as the variety of wildlife in the Cayman Islands. The National Conservation Council was established in 2014 by the Law and to facilitate its goals. Furthermore, the Department of Agriculture works to protect the agricultural sector from the introduction of invasive alien species that could have a negative impact on crop and livestock production, as well as public health and national flora and fauna, such as the Cayman blue iguana, which until recently had been reduced to just a few.

48. With respect to solid waste management practices, in August 2015, the territorial Government presented the first national solid waste management policy with regard to the future management of solid waste, against the background of antiquated landfills on all three islands. According to the territorial Government, the policy is expected to be fully developed and implemented starting in 2016/2017.

49. Following the adoption of the Paris Agreement at the 21st session of the Conference of the Parties to the United Nations Framework Convention on Climate Change in 2015, the territorial Government reportedly decided to review its draft climate change policy of 2011, which aimed at facilitating the transition to a climate-resilient, low-carbon economy, as well as its draft national energy policy of 2013, which, inter alia, set a goal of generating 13.5 per cent of electricity from renewable sources by 2030.

VI. Relations with international organizations and partners

50. The Cayman Islands is an associate member of the Economic Commission for Latin America and the Caribbean and of the United Nations Educational, Scientific and Cultural Organization and a member of the Universal Postal Union. The territory also participates in the work of the Caribbean Community as an associate member and is a member of the Caribbean Development Bank and the International Olympic Committee.

51. As a Non-Self-Governing Territory of the United Kingdom, the Territory is associated with but not a part of the European Union. Since January 2014, the Territory has been a partner under the 2013 Overseas Association Decision of the Council of the European Union, which was approved, inter alia, in an effort to move away from a classic development cooperation approach to a reciprocal partnership that promotes sustainable development and the values and standards of the European Union in the wider world.

VII. Future status of the Territory

A. Position of the territorial Government

52. Information on the position of the territorial Government regarding the future status of the Cayman Islands is reflected in section I above.

B. Position of the administering Power

53. On 15 October 2015, at the 7th meeting of the Special Political and Decolonization Committee (Fourth Committee) during the seventieth session of the General Assembly, the representative of the United Kingdom stated that the relationship of the Government of the United Kingdom with its overseas territories was a modern one based on partnership, shared values and the right of the people of each territory to choose to remain British. The Government of the United Kingdom and its territories recognized that their relationship brought mutual benefits and responsibilities.

54. He went on to say that, since the publication in June 2012 by the Government of the United Kingdom of a white paper entitled *The Overseas Territories: Security, Success and Sustainability*, the United Kingdom had worked closely with its territories to further develop those partnerships. His Government had consolidated the annual meeting with the leaders of territories into a Joint Ministerial Council, with a clear mandate to review and implement the strategy and commitments set forth in the paper. His Government's fundamental responsibility and objective under international law, including the Charter of the United Nations, was to ensure the security and good governance of the territories and their people.

55. At the fourth meeting of the Overseas Territories Joint Ministerial Council, held in London on 1 and 2 December 2015, the United Kingdom and overseas territory leaders agreed on a communiqué setting out, among other things, the joint position of the United Kingdom and the overseas territories on self-determination. In the communiqué, the political leaders and representatives stated that leaders of the overseas territories were democratically elected by the people of the Territories and were accountable to them and that the principle of equal rights and self-determination of peoples, as enshrined in the Charter of the United Nations, applied to the peoples of the overseas territories. They reaffirmed the importance of promoting the right of the peoples of the territories to self-determination, a collective responsibility of all parts of the Government of the United Kingdom. They committed to explore ways in which the overseas territories could maintain international support in countering hostile sovereignty claims and agreed that the fundamental structure of their constitutional relationships had been the right one — powers had been devolved to the elected Governments of the territories to the maximum extent possible consistent with the United Kingdom retaining those powers necessary to discharge its sovereign responsibilities — while agreeing the need to review the effectiveness of constitutional arrangements over time.

VIII. Action taken by the General Assembly

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(a) Recalled the 2009 Constitution of the Cayman Islands, and stressed the importance of the work of the Constitutional Commission, including its work on human rights education;

(b) Requested the administering Power to assist the Territory by facilitating its work concerning public awareness outreach efforts, consistent with Article 73 *b* of the Charter, and in that regard called upon the relevant United Nations organizations to provide assistance to the Territory, if requested;

(c) Welcomed the active participation of the Territory in the work of the Economic Commission for Latin America and the Caribbean;

(d) Also welcomed the efforts made by the territorial Government to implement financial sector management policies, medical tourism initiatives and unemployment alleviation programmes in various economic sectors.